Senate File 2080 - Introduced

SENATE FILE 2080
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3005)

A BILL FOR

- 1 An Act relating to the administration of certain physical
- examinations and student health screenings by school
- 3 districts, charter schools, or innovation zone schools.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 256E.7, subsection 2, Code 2022, is
- 2 amended by adding the following new paragraph:
- 3 NEW PARAGRAPH. j. Be subject to and comply with section
- 4 279.76 relating to physical examinations and health screenings
- 5 in the same manner as a school district.
- 6 Sec. 2. Section 256F.4, subsection 2, Code 2022, is amended
- 7 by adding the following new paragraph:
- 8 NEW PARAGRAPH. k. Be subject to and comply with section
- 9 279.76 relating to physical examinations and health screenings
- 10 in the same manner as a school district.
- 11 Sec. 3. NEW SECTION. 279.76 Health screenings —
- 12 prohibition.
- 13 l. Each school district is prohibited from administering
- 14 or conducting an invasive physical examination of a student,
- 15 or a student health screening that is not required by state or
- 16 federal law, without first acquiring the written consent of the
- 17 student's parent or guardian. This section applies only to a
- 18 minor child in the direct care of a parent or quardian, and
- 19 does not apply to an emancipated minor or a minor who is not
- 20 residing with the parent or guardian.
- 21 2. This section shall not be construed to prohibit a school
- 22 district from conducting health screenings in emergent care
- 23 situations or from cooperating in a child abuse assessment
- 24 commenced in accordance with section 232.71B.
- 25 3. For purposes of this section:
- 26 a. "Emergent care situation" means a sudden or unforeseen
- 27 occurrence or onset of a medical or behavioral condition that
- 28 could result in serious injury or harm to a student or others
- 29 in the event immediate medical attention is not provided.
- 30 "Emergent care situation" includes the need to screen a student
- 31 or others for symptoms or exposures during an outbreak or
- 32 public health event of concern as designated by the department
- 33 of public health.
- 34 b. "Invasive physical examination" means any medical
- 35 examination that involves the exposure of private body parts

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- 1 or any act during such examination that includes incision,
- 2 insertion, or injection into the body, but does not include a
- 3 hearing, vision, or scoliosis screening.
- 4 c. "Student health screening" means an intentionally
- 5 planned, periodic process to identify if students may be at
- 6 risk for a health concern and to determine if a referral
- 7 for an in-depth assessment is needed to consider appropriate
- 8 health services. "Student health screening" does not include
- 9 an episodic, individual screening done in accordance with
- 10 professional licensed practice.
- 11 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 14 This bill relates to the administration of certain physical
- 15 examinations and student health screenings by school districts,
- 16 charter schools, or innovation zone schools.
- 17 The bill prohibits school districts, charter schools, or
- 18 innovation schools from administering an invasive physical
- 19 examination of a student, or a student health screening that
- 20 is not required by state or federal law, unless the school
- 21 district has acquired the written consent of the student's
- 22 parent or guardian. The bill does not apply to an emancipated
- 23 minor or a minor who is not residing with the minor's parent or
- 24 guardian.
- 25 The bill does not prohibit a school district, charter
- 26 school, or innovation zone school from conducting health
- 27 screenings in emergent care situations or cooperating in a
- 28 child abuse assessment commenced under Code section 232.71B.
- 29 The bill defines "emergent care situation", "invasive
- 30 physical examination", and "student health screening".